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PERSONAL AND CONFIDENTIAL

To: Examiner Pak

From: Gary Baker

USPTO, Group 1646

Fax: 703 872-9306

Date: May 24, 2005

Phone: 571-272-0879

Pages: 3

Re: USSN 09/103,355

our file: 407J-986410US

☐ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

•Comments:

Dear Examiner Pak,

I would like to schedule an interview in the above cited matter. Attached is a letter with a proposed amended claim 1 for your review before the interview.

Thanks,

Gary Baker

If you should encounter any difficulties in the transmission of this facsimile, please call Gary Baker at (510) 769-3510.

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May 24, 2005

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VIA Fax

Michael Pak
Primary Examiner
Art Unit 1646
USPTO

RE: U.S. Patent Application No. 09/103,355 for
METHODS FOR SCREENING NUCLEAR TRANSCRIPTION FACTORS FOR
THE ABILITY TO MODULATE AN ESTROGEN RESPONSE
Inventor: Peter J.Kushner, et al.
Filed: June 23, 1998
Our File No.: 407J-896410US

Dear Michael:

I would like to arrange an Interview in the above cited case at your soonest convenience. Please contact me at 510 769-3510 or at gbaker@quinelaw.com to schedule the interview.

I in previous discussions we worked together and were able to adjust the claim to remedy a 112 issue. Now, I am proposing amendments to resolve issues of alleged anticipation and obviousness.

The following claim has several limitations not present in Kushner, Evans or Pfahl. The first amendment in clause a) makes it clear that this is a screening method including a comparison of reporter signals with and without the presence of the nuclear transcription factor ligand (TFL) being screened. Fos and jun can not be the TFL because they are not absent from the claimed cell.

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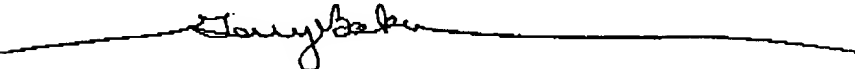
Michael Pak
Primary Examiner

1. A method of screening a nuclear transcription factor ligand for an ability to modulate estrogen activation at an AP-1 site, said method comprising the steps of:
 - a) providing a first cell in the absence of said nuclear transcription factor comprising:
 - a cognate receptor for the nuclear transcription factor ligand, which cognate receptor is not an estrogen receptor;
 - ~~an estrogen receptor different from said cognate receptor~~;
 - fos;
 - jun;-and,
 - a promoter comprising an AP-1 site that regulates expression of a first reporter gene;
 - b) contacting said first cell with said transcription factor ligand and with a compound having AP-1 mediated estrogenic activity; and,
 - c) detecting expression of said first reporter gene, as compared to expression of said first reporter gene in the absence of said transcription factor ligand, wherein a difference in expression of said first reporter gene in the presence and absence of said transcription factor ligand indicates that said nuclear transcription factor ligand modulates estrogen activation at an AP-1 site.

I would appreciate your help in adjusting this claim to allowance. I am open for the Interview nearly any time. Please get back to me without too much delay.

Best regards,

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.



Gary Baker

GB;gb